UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/057,927	01/29/2002	Masanori Takeuchi	218958US2	3757

22850 7590 12/11/2009

OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P.
1940 DUKE STREET
ALEXANDRIA, VA 22314

EXAMINER
THEIN, MARIA TERESA T

ART UNIT	PAPER NUMBER
3627	

NOTIFICATION DATE	DELIVERY MODE
12/11/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

patentdocket@oblon.com
oblonpat@oblon.com
jgardner@oblon.com

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

Application Number: 10/057,927
Filing Date: January 29, 2002
Appellant(s): TAKEUCHI ET AL.

Eckhard H. Kuesters
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed October 5, 2009 appealing from the Office action mailed March 6, 2009.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

7,392,226	SASAKI ET AL.	6-2008
5,991,749	MORRILL, JR.	11-1999
2003/0105641	LEWIS	6-2003

(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 10-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,392,226 to Sasaki in view of U.S. Patent No. 5,991,749 to Morrill, Jr. and in further view of 2003/0105641 to Lewis.

Regarding claim 10, Sasaki discloses a data processing apparatus comprising: data communication means for executing a data communication with a portable electronic terminal (mobile user terminal) having a data configured to store owner information identifying an owner of the portable electronic terminal (Figure 1; col. 5,

lines 32-45; col. 8, lines 13-18); program transmission means for transmitting a program to the portable electronic terminal by the data communication means (col. 5, lines 3-7; col. 5, lines 32-45; Figure 1), wherein the program causes the portable electronic terminal to transmit the owner information to the data processing apparatus when the transmission of the owner information is permitted (col. 8, lines 44-50); data reception means for receiving the owner information sent from the portable electronic terminal through the data communication means according to the program sent to the portable electronic terminal by the program transmission means (col. 8, lines 44-50; col. 5, lines 32-45); means for determining whether a ticketing process should be executed (col. 8, lines 39-43; col. 12, line 44-col. 13, lines 7; Figure 8); means for confirming a requested ticket through an inquiry to a ticket company via a network when the ticket process is requested, for receiving information regarding the requested ticket from the ticket company via the network (Figures 9-10; col. 13, lines 23-36).

However, Sasaki does not explicitly disclose displaying a request to send data screen for selecting whether to or not to permit transmission of the stored owner information when the transmission of the owner information is selected on the request to send data screen; the storing the received information as ticket printing data; and means for transmitting and outputting the develop ticket printing data to a printer. Sasaki discloses ID transmission button, wherein the user may press the button, the ID information stored in the terminal is transmitted (col. 8, lines 44-47). Furthermore, Sasaki discloses an authentication request message which is generated by the mobile user terminal and transmits the message through the mobile user terminal to the

information server (col. 13, lines 24-28). The authentication request message includes a user terminal Id unique to each mobile user terminal (col. 13, line 63-col. 14, lines 5). In the "Background of the Invention" of Sasaki, it discloses the ticket issuing terminal printing the received ticket information on a specific pasteboard determined by the ticket issuer and outputs it as a ticket (col. 1, lines 47-49).

Morrill, on the other hand, teaches displaying a request to send data screen for selecting whether to or not to permit transmission of the stored owner information when the transmission of the owner information is selected on the request to send data screen (col. 2, lines 50-53).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus of Sasaki, to include the displaying, as taught by Morrill, in order to verify identity and authorize access to a secured location (Morrill, col. 1, liens 49-50).

Lewis, on the other hand, teaches the storing the received information as ticket printing data; and means for transmitting and outputting the develop ticket printing data to a printer (paragraph 10; paragraph 21).

It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus of Sasaki, to include It would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the apparatus of Sasaki, as taught by Lewis, in order to eliminate the need or required for the consumer to pick up tickets at some other location such as a box office.

Regarding claim 11, Sasaki discloses a product sales data processing apparatus for processing the product sales data (col. 7, lines 49-51; col. 3, lines 9-11)

Claim 16 is rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 7,392,226 to Sasaki, U.S. Patent No. 5,991,749 to Morrill, Jr. and U.S. Patent No. 2003/0105641 to Lewis as applied to claim 10 above, and further in view of U.S. Patent No. 5,689,503 to Wada et al. Sasaki, Morrill and Lewis substantially discloses the claimed invention, however, the combination does not explicitly disclose when data communication with one portable terminal is established by the data communication means excludes communication with other portable electronic terminal. The combination does disclose an electronic ticket network having a start page, a ticket owner secret key, and electronic ticket possession certificate, the ticket owner secret key and the electronic ticket possession certification are used for authentication processing (Sasaki, abstract).

Wada, on the other hand teaches when data communication with one portable terminal is established by the data communication means excludes communication with other portable electronic terminal (col. 6, lines 17-23).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to modify the combination, to include when access from one portable terminal is established by the communication means the means excludes access by others, as taught by Wada, in order to forbid access by other mobile stations (Wada, col. 6, lines 17-18), thus providing no interruptions (Wada, col. 7, lines 41-42).

(10) Response to Argument

Examiner notes that Appellants have invoked 35 U.S.C. §112, sixth paragraph. Examiner is interpreting “data communication “,” program transmission” and "data reception" as labels for the functions “means for executing", "means for transmitting", and "means for receiving". Examiner continues to interpret Appellants claims as falling under 35 U.S.C. § 112, sixth paragraph in light of the specification.

Appellants remark that “Sasaki, Morrill and Lewis fail to disclose storing the received information as ticket printing data with the owner information received from the portable electronic terminal”. (Argument section, page 5, first paragraph)

Examiner does not agree. The combination of Sasaki, Morrill and Lewis discloses the recitation above. Sasaki discloses an electronic networked-linked ticket system which comprises a mobile user terminal having a function of purchasing and using an electronic ticket, a gate terminal for performing automatic ticket checking of a ticket, a service server for issuing a ticket, an information server for providing information for the mobile user terminal, a digital public network, and radio telephone based station (col. 4, line 65 - col. 5, line 5). The service server has a ticket issuing function (col. 5, line 26), and is installed in an event company or a ticket issuing company (col. 5, line 48-49). The information server has a digital communication function, an information database (col. 5, lines 29-31), and owns a service server certificate, and a service server public key (col. 9, lines 61-63). The mobile user terminal provides operation modes of digital radio telephone mode, browser mode, electronic wallet mode, personal information management mode, and ID transmission

mode (col. 7, lines 57-60). In the personal management mode, the user's personal information stored in the mobile user terminal is referenced and user-set information is set. The ID transmission mode is a mode for transmitting the ID information stored in the mobile user terminal. (Col. 8, lines 13-18). When the user presses the ID transmission button, the ID information stored in the mobile user terminal is transmitted by infrared communication (col. 8, lines 45-47). The mobile user terminal has an electronic purchasing ticket purchasing function, and an electronic ticket use function (col. 5, lines 14-15). The user uses the mobile user terminal to purchase a network-linked electronic ticket from the service server and stores the purchased network-linked electronic ticket in the mobile user terminal for management (col. 5, lines 63-65). Sasaki further discloses a network-linked electronic ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate (col. 10, lines 1-5). The electronic ticket program is made up of an electronic ticket status, an electronic ticket property, an electronic ticket signature secret key, an electronic ticket authentication secret key, a transaction terminal authentication public key, and electronic ticket program data (col. 10, lines 48-53). The electronic ticket is made up of an electronic ticket code, an electronic ticket ID, electronic ticket information, an electronic ticket issuer ID, and reservation information. (Col. 11, lines 12-20). The network electronic ticket is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status. (Col. 11, lines 39-48) The ticket owner secret key stored in the network electronic ticket and a ticket owner

public key stored in an electronic ticket possession certificate used for authentication processing of the electronic ticket and the mobile user terminal with the information server (col. 10, lines 31-36). The electronic ticket possession certificate is issued by the service server when the electronic ticket is purchased and is made up of the ID of the user terminal through which the electronic ticket is purchased, electronic ticket ID, electronic ticket possession ID, ticket owner public key, and electronic ticket possession certificate issuing date and time (col. 12, lines 3-10). The electronic ticket certificate is made up of electronic ticket ID, electronic ticket signature public key, electronic ticket certificate ID, electronic ticket issuer ID, and electronic ticket certificate issuing date and time (col.12, lines 30-33). Moreover, Sasaki discloses, in the background of the invention, printing the received ticket information and outputs it as a ticket (col. 1, lines 48-50).

Such mobile user terminal which provides operation modes of digital radio telephone mode, browser mode, electronic wallet mode, personal information management mode, and ID transmission mode; ID transmission mode which is a mode for transmitting the ID information stored in the mobile user terminal; mobile user terminal has an electronic purchasing ticket purchasing function, and an electronic ticket use function; user using the mobile user terminal to purchase a network-linked electronic ticket from the service server and stores the purchased network-linked electronic ticket in the mobile user terminal for management; the network-linked electronic ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate;

electronic ticket program which is made up of an electronic ticket status, an electronic ticket property, an electronic ticket signature secret key, an electronic ticket authentication secret key, a transaction terminal authentication public key, and electronic ticket program data; electronic ticket which is made up of an electronic ticket code, an electronic ticket ID, electronic ticket information, an electronic ticket issuer ID, and reservation information; network electronic ticket is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status; and electronic ticket possession certificate is issued by the service server when the electronic ticket is purchased and is made up of the ID of the user terminal through which the electronic ticket is purchased, electronic ticket ID, electronic ticket possession ID, ticket owner public key, and electronic ticket possession certificate issuing date and time are considered storing the received information as ticket data with the owner information received from the portable electronic terminal.

The Examiner then turns to Lewis to teach the storing of the received information as ticket printing data. Lewis teaches once a customer makes a selection and pays for a ticket. It is sent to the customer by various methods. The ticket may be of different form or formats. The ticket may be printed out on a printer connected to the customer computer (paragraph 21). Lewis teaches an electronic ticketing and validation system which allows a consumer to print out tickets at the consumer's personal computer (paragraph 10). The computer system is capable of sending the generated ticket to the computer for the computer to print out the ticket (claim 5).

Moreover, all of the components are known in Sasaki, Morrill, and Lewis. The only different is the combination of the “old elements" into a single data processing apparatus. Thus, it would have been obvious to one having ordinary skill in the art to include the storing of the received information as printing ticket data taught by Lewis onto a standard data processing apparatus as shown in Sasaki, since the storing of the received information as printing ticket data is in no way dependent on the operation of the other data processing apparatus to achieve the predictable results of printing a hard copy of the ticket.

Appellants remark that “Sasaki, Morrill and Lewis also each fail to disclose program transmission means for transmitting a program to the portable electronic terminal by the data communication means, that the program causes the portable electronic terminal to display the request and transmit the owner information, and that, the receiving the owner information sent from the portable electronic terminal through the data communication means, is accomplished according to the program sent to the portable electronic terminal by the program transmission means”. (Argument section, page 5, second paragraph)

Examiner does not agree. The combination of Sasaki, Morrill and Lewis discloses the recitation above. Sasaki discloses an electronic networked-linked ticket system which comprises a mobile user terminal having a function of purchasing and using an electronic ticket, a gate terminal for performing automatic ticket checking of a ticket, a service server for issuing a ticket, an information server for providing information for the mobile user terminal, a digital public network, and radio telephone

based station (col. 4, line 65 - col. 5, line 5). The information server has a digital communication function, an information database (col. 5, lines 29-31), and owns a service server certificate, and a service server public key (col. 9, lines 61-63). The mobile user terminal provides operation modes of digital radio telephone mode, browser mode, electronic wallet mode, personal information management mode, and ID transmission mode (col. 7, lines 57-60). In the personal management mode, the user's personal information stored in the mobile user terminal is referenced and user-set information is set. The ID transmission mode is a mode for transmitting the ID information stored in the mobile user terminal. (Col. 8, lines 13-18). When the user presses the ID transmission button, the ID information stored in the mobile user terminal is transmitted by infrared communication (col. 8, lines 45-47). The mobile user terminal has an electronic purchasing ticket purchasing function, and an electronic ticket use function (col. 5, lines 14-15). The user uses the mobile user terminal to purchase a network-linked electronic ticket from the service server and stores the purchased network-linked electronic ticket in the mobile user terminal for management (col. 5, lines 63-65). Sasaki further discloses a network-linked electronic ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate (col. 10, lines 1-5). The electronic ticket program is made up of an electronic ticket status, an electronic ticket property, an electronic ticket signature secret key, an electronic ticket authentication secret key, a transaction terminal authentication public key, and electronic ticket program data (col. 10, lines 48-53). The electronic ticket program is made up of an electronic ticket status,

an electronic ticket property, an electronic ticket signature secret key, an electronic ticket authentication secret key, a transaction terminal authentication public key, and electronic ticket program data (col. 10, lines 48-53). The electronic ticket program data is a program module for stipulating the operation proper to the electronic ticket and the electronic ticket program data and the electronic ticket property can be used in combination to define various types of electronic tickets and define various types of operation in processing with electronic tickets (col. 11, lines 6-11). The network electronic ticket is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status. (Col. 11, lines 39-48) The start page data is display information of the start page of network information service first displayed as a network service menu when the network information service is received from the electronic ticket (FIG. 13). Embedded in the display information are the names of the information services that can be received with the electronic ticket, the URL (uniform resource locator) information of the information servers for providing the information services, and the ID of each information server 103 (information server ID). Also embedded in the display information are scripts for calling program modules used for generating and processing messages exchanged with the information server 103 for providing each information service. Each script calls each program module with the URL information as a parameter. (Col. 11, lines 51-64) The ticket owner secret key stored in the network electronic ticket and a ticket owner public key stored in an electronic ticket possession certificate used for authentication processing of the

electronic ticket and the mobile user terminal with the information server (col. 10, lines 31-36). The electronic ticket possession certificate is issued by the service server when the electronic ticket is purchased and is made up of the ID of the user terminal through which the electronic ticket is purchased, electronic ticket ID, electronic ticket possession ID, ticket owner public key, and electronic ticket possession certificate issuing date and time (col. 12, lines 3-10). The electronic ticket certificate is made up of electronic ticket ID, electronic ticket signature public key, electronic ticket certificate ID, electronic ticket issuer ID, and electronic ticket certificate issuing date and time (col.12, lines 30-33). The network service program is a program for controlling the electronic wallet in the mobile user terminal when the network electronic ticket is used to receive network information service form the information server, and consists of program modules (col. 12, lines 11-15).

Such electronic networked-linked ticket system which comprises a mobile user terminal having a function of purchasing and using an electronic ticket, a gate terminal for performing automatic ticket checking of a ticket, a service server for issuing a ticket, an information server for providing information for the mobile user terminal, a digital public network, and radio telephone based station; mobile user terminal which provides operation modes of digital radio telephone mode, browser mode, electronic wallet mode, personal information management mode, and ID transmission mode; ID transmission mode which is a mode for transmitting the ID information stored in the mobile user terminal; mobile user terminal which has an electronic purchasing ticket purchasing function, and an electronic ticket use function; network-linked electronic

ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate; network electronic ticket which is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status; start page data which is display information of the start page of network information service first displayed as a network service menu when the network information service is received from the electronic ticket, wherein embedded in the display information are the names of the information services that can be received with the electronic ticket, the URL (uniform resource locator) information of the information servers for providing the information services, and the ID of each information server (information server ID) and embedded in the display information are scripts for calling program modules used for generating and processing messages exchanged with the information server for providing each information service; ticket owner secret key stored in the network electronic ticket and a ticket owner public key stored in an electronic ticket possession certificate used for authentication processing of the electronic ticket and the mobile user terminal with the information server; electronic ticket possession certificate is issued by the service server when the electronic ticket is purchased and is made up of the ID of the user terminal through which the electronic ticket is purchased; and the network service program is a program for controlling the electronic wallet in the mobile user terminal when the network electronic ticket is used to receive network information service form the information server, and consists of program modules are considered “program transmission means for transmitting a program to the portable

electronic terminal by the data communication means, that the program causes the portable electronic terminal to display the request and transmit the owner information, and that, the receiving the owner information sent from the portable electronic terminal through the data communication means, is accomplished according to the program sent to the portable electronic terminal by the program transmission means".

The Examiner then turns to Morrill to also teach display the request. Morrill displaying on the phone's LED screen along with ant "OK?" prompt. User presses "Send" to continue or "END" to cancel. (Col. 2, lines 42-44). Furthermore, Morrill displays either a default source account authorized to be debited (col. 2, lines 50-53).

Appellants remark that "Lewis fails to teach combining the received information regarding the requested ticket and the owner information received from the portable electronic terminal, and storing the combined information as ticket printing data. Thus, Lewis fails to disclose means for storing the received information as ticket printing data with the owner information received from the portable electronic terminal". (Argument section, page 5, second paragraph)

Examiner notes that Lewis was cited for teaching the storing of the received information as ticket printing data. Lewis teaches once a customer makes a selection and pays for a ticket. It is sent to the customer by various methods. The ticket may be of different form or formats. The ticket may be printed out on a printer connected to the customer computer (paragraph 21). Lewis teaches an electronic ticketing and validation system which allows a consumer to print out tickets at the consumer's personal computer (paragraph 10). The computer system is capable of sending the generated

ticket to the computer for the computer to print out the ticket (claim 5). Examiner directs Appellants attention to the first discussion above.

Appellants remark that "Sasaki, Morrill, and Lewis, when considered alone or in combination fail to suggest or teach combining the received information from a ticket company and the owner information received from the portable electronic terminal, and printing the combined information on a ticket". (Argument section, page 6, second paragraph)

Examiner directs Appellants attention to the first discussion above.

Appellants remark that "Sasaki fails to disclose or suggest that any of the programs is transmitted between the mobile user terminal and another terminal". (Argument section, page 6, third paragraph)

Examiner does not agree. The combination of Sasaki, Morrill and Lewis discloses the recitation above. Sasaki discloses an electronic networked-linked ticket system which comprises a mobile user terminal having a function of purchasing and using an electronic ticket, a gate terminal for performing automatic ticket checking of a ticket, a service server for issuing a ticket, an information server for providing information for the mobile user terminal, a digital public network, and radio telephone based station (col. 4, line 65 - col. 5, line 5). Sasaki further discloses a network-linked electronic ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate (col. 10, lines 1-5). The electronic ticket program is made up of an electronic ticket status, an electronic ticket property, an electronic ticket signature secret key, an electronic ticket

authentication secret key, a transaction terminal authentication public key, and electronic ticket program data (col. 10, lines 48-53). The electronic ticket program data is a program module for stipulating the operation proper to the electronic ticket and the electronic ticket program data and the electronic ticket property can be used in combination to define various types of electronic tickets and define various types of operation in processing with electronic tickets (col. 11, lines 6-11). The network electronic ticket is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status. (Col. 11, lines 39-48) The start page data is display information of the start page of network information service first displayed as a network service menu when the network information service is received from the electronic ticket (FIG. 13). Embedded in the display information are the names of the information services that can be received with the electronic ticket, the URL (uniform resource locator) information of the information servers for providing the information services, and the ID of each information server 103 (information server ID). Also embedded in the display information are scripts for calling program modules used for generating and processing messages exchanged with the information server 103 for providing each information service. The network service program is a program for controlling the electronic wallet in the mobile user terminal when the network electronic ticket is used to receive network information service form the information server, and consists of program modules (col. 12, lines 11-15).

Such electronic networked-linked ticket system which comprises a mobile user terminal having a function of purchasing and using an electronic ticket, a gate terminal for performing automatic ticket checking of a ticket, a service server for issuing a ticket, an information server for providing information for the mobile user terminal, a digital public network, and radio telephone based station; network-linked electronic ticket which is made up of the four parts of an electronic ticket program, an electronic ticket, a network electronic ticket, and an electronic ticket certificate; network electronic ticket which is made up of an electronic ticket ID, start page data, a ticket owner secret key, an electronic ticket possession certificate, a network service program, a bookmark list, and a service status; start page data which is display information of the start page of network information service first displayed as a network service menu when the network information service is received from the electronic ticket, wherein embedded in the display information are the names of the information services that can be received with the electronic ticket, the URL (uniform resource locator) information of the information servers for providing the information services, and the ID of each information server (information server ID) and embedded in the display information are scripts for calling program modules used for generating and processing messages exchanged with the information server for providing each information service; and the network service program is a program for controlling the electronic wallet in the mobile user terminal when the network electronic ticket is used to receive network information service form the information server, and consists of program modules are considered “any of the programs is transmitted between the mobile user terminal and another terminal”.

Appellants remark that "Sasaki do not anticipate or render obvious the subject matter defined by claim 10 when considered alone or in combination with Morrill and Lewis." (Argument section, page 6, fifth paragraph)

In response to appellants' argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, the motivation is found in Morrill "in order to verify identity and authorize access to a secured location" (col. 1, liens 49-50) and in Lewis "in order to eliminate the need or required for the consumer to pick up tickets at some other location such as a box office". Furthermore, KSR forecloses Appellants' remark that a specific teaching, suggestion, or motivation is required to support a finding of obviousness. KSR, 82 USPQ2d at 1396 (2007)

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Marissa Thein/
Examiner, Art Unit 3627

Conferees:

/F. Ryan Zeender/

Supervisory Patent Examiner, Art Unit 3627

Vincent Millin /vm/
Appeals Practice Specialist